

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

KAPPA ALPHA THETA FRATERNITY,  
INC.; KAPPA KAPPA GAMMA  
FRATERNITY; SIGMA CHI; SIGMA  
ALPHA EPSILON; SIGMA ALPHA  
EPSILON—MASSACHUSETTS  
GAMMA; JOHN DOE 1; JOHN DOE 2;  
JOHN DOE 3,

Plaintiffs,

v.

HARVARD UNIVERSITY; PRESIDENT  
AND FELLOWS OF HARVARD  
COLLEGE (HARVARD CORPORATION),

Defendants.

Civil Action No. 18-cv-12485

**DECLARATION OF JOHN DOE 1**

John Doe 1, pursuant to 28 U.S.C. § 1746, declares the following:

1. I am a man over eighteen years old and of sound mind, who has never been convicted of a felony, is capable of making this declaration, and is fully competent to declare as to matters stated herein.

2. I am a student at Harvard College. I am a member of an all-male organization that Harvard considers an “unrecognized single-gender social organization.”

3. I am subject to Harvard’s policy that punishes students who join certain single-sex organizations (the “Sanctions Policy”). Because of my membership in an “unrecognized single-gender social organization” I may not captain an athletic team, hold a leadership position in any of Harvard’s “recognized” student organizations, and I am ineligible to compete for the Rhodes and Marshall Scholarships, and other prestigious postgraduate scholarships and fellowships.

4. The Sanctions Policy has harmed my access to professional opportunities. Before joining a single-sex organization, I was a member of a Harvard-recognized student organization, “Club A.” I was considering applying for a leadership position in Club A. At the same time, however, I decided that I wanted to join a single-sex organization. I thought it would help me feel more at home at Harvard (and so far it has). In making the decision, however, I felt like I could not further pursue a leadership position in Club A. The Sanctions Policy forced me to choose between membership in a group that would help me to feel at home at Harvard, and a leadership position in Club A, another organization that I cared about.

5. The Sanctions Policy has also eliminated at least one of the benefits of my Harvard education. In addition to my membership in Club A, I was also an active member of a different Harvard-recognized student organization, “Club B.” It was a club I had a sincere and strong passion for. Unfortunately, the president of our club graduated. I would have taken over, but I worried that if I became president while also a member of a single-sex organization, I would be punished under the Sanctions Policy. As a result, no one took over Club B’s leadership and Club B has not been active on campus since. It seems likely that it will continue to be inactive. It hurts me that Club B disappeared because of the Sanctions Policy. Club B was one of the best parts of my Harvard education.

6. The Sanctions Policy has also harmed my personal reputation. Through the Sanctions Policy, Harvard College has singled me out for social stigma and embarrassment. Harvard’s justifications for the Sanctions Policy, that men’s organizations are responsible for sexual assaults at Harvard and perpetrate various forms of bigotry, are widely known in the Harvard University community. Other students and members of the Harvard Community think

less of me because I am subject to the Sanctions Policy. The Sanctions Policy has caused me serious emotional and psychic harm.

7. I am bringing this lawsuit to reverse the Sanctions Policy and thereby remove the professional barriers and social stigma it causes. I believe that Harvard College has unfairly discriminated against men and women who wish to be part of organizations that consist solely of men and women. Being a member of a single-sex organization is tremendously valuable to me. I view the requirement that I give up my membership in such an organization as the price of obtaining the full and equal benefits of a Harvard University education to be deeply wrong and unlawful.

8. I understand that the position I am advocating in this lawsuit is disfavored by many people, including Harvard administrators, faculty, other students, and members of the public at large. I am aware that many people support Harvard's Sanctions Policy, both at Harvard and beyond. I am aware that plaintiffs in other high profile lawsuits against colleges and universities have been subject to harassment and threats.

9. When I brought this lawsuit, I hoped that my identity and involvement would remain confidential, which was important to my decision to get involved. The prospect that my identity would remain confidential made me feel safe in asserting my rights in this lawsuit despite the unpopularity of the position I am asserting.

10. I have kept my participation in this lawsuit strictly confidential. No one knows about my participation except my counsel and an extremely close circle of individuals with a need to know.

11. I do not want the public to know about my involvement in this lawsuit. If it becomes public that I am bringing this lawsuit, I fear that it could seriously damage my reputation and future professional opportunities.

12. I also do not want anyone at Harvard to know that I am involved in this lawsuit. I plan to be a student at Harvard College for the next several years, during which time I hope to have members of the Harvard University community, such as professors and administrators, provide support and recommendations for future professional opportunities. I also would potentially like to attend one of Harvard's graduate schools in the future. I fear that if Harvard knew that I had sued to reverse the Sanctions Policy it might retaliate against me by denying me support for my future endeavors or denying me admission to its graduate schools.

13. For the foregoing reasons, if it is determined that my identity must be disclosed in order to participate in this lawsuit, I will not go forward with this lawsuit.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, December 3, 2018.

/s/ John Doe 1  
John Doe 1